MINUTES PLANNING COMMISSION JULY 10, 2013 RESCHEDULED FROM JULY 3, 2013 LAKEWOOD CITY HALL

PRE-REVIEW MEETING 6:30 P.M. LOWER CONFERENCE ROOM (Audio Recording Available)

Meeting called to order at 7:00 P.M.

REGULAR MEETING 7:00 P.M. AUDITORIUM

1. Roll Call

MEMBERS PRESENT

OTHERS PRESENT

Hannah Belsito Mary Cierebiej, Vice-Chairwoman William Gaydos Robert Greytak Tamara Karel Mark Stockman, Chairman

Dru Siley, Director, P&D
Jason Russell, Project Specialist II, P&D

A motion was made by Mr. Stockman, seconded by Ms. Cierebiej, to **EXCUSE** the absence of Patrick Metzger. All of the members voting yea, the motion passed.

Approve the Minutes of the June 6, 2013 Meeting

A motion was made by Ms. Cierebiej, seconded by Mr. Stockman, to APPROVE the minutes of the June 6, 2013 meeting. Ms. Belsito, Ms. Cierebiej, Mr. Gaydos, Mr. Greytak, and Mr. Stockman voting yea, and Ms. Karel abstaining, the motion passed.

REVIEW

4. Docket 08-17-11

1300, 1302, 1308 Stoane Avenue Clifton Pointe Townhomes

Andrew Brickman, Abode Living requests approval for modification to a request granted at the meeting of August 4, 2011 as pertains to Lot Consolidation of four (4) Permanent Parcel Numbers: 311-14-019, 311-14-020, 311-14-021 and 311-14-022. The applicant is requesting to resubdivide the property into 17 parcels for each of the constructed townhome units pursuant to Section 1155.06 — Procedures for Lot Consolidations and Resubdivisions. This property is located in an MH, Multi-Family and High Density district. (Page 4)

Andrew Brickman, Abode Living was present to explain the request. He stated the need for the resubdivision of the parcels.

There were no comments or questions from the Commission. There were no comments or questions from the public.

A motion was made by Mr. Gaydos, seconded by Ms. Cierebiej, to **GRANT** the request as submitted. All of the members voting yea, the motion passed.

There was a brief pause for signatures and notarization of the plat map. Mr. Brickman needed to take it to the County for recording the following morning.

3. Docket 12-17-07

18616 Detroit Avenue Around the Corner

In December 2007, Michael Krivosh, property owner requested a conditional use permit for Outdoor/Seasonal Dining Facility pursuant to Section 1129.13 and Subsection 1161.03(t).

At the meeting of April 4, 2013, the Planning Commission reviewed and GRANTED renewal of the Conditional Use permit with the stipulations that the patio doors are closed at 9:00 p.m. Sunday through Thursday, the patio doors are closed at 10:00 p.m. on Friday and Saturday, and the applicant returns for review of the Conditional Use permit at the July 2013 Planning Commission meeting. The property is located in a C2, Commercial and Retail district. (Page 3)

Mickey Krivosh and Ryan Krivosh were present. They stated they were making an effort to control the noise by complying with the directives of the Commission from the April 4th meeting and had not heard of any complaints from the neighboring residents.

Referring to the police CAD report, Mr. Siley stated there had been only one noise complaint since the April 4th meeting, and it could not be directly attributed to the business at Around the Corner.

Matthew O'Donnell, 1375 Mathews Avenue said there was a marked difference in the noise and had no complaints.

Johanna Schwarz, 1367 Mathews Avenue, said there was an improvement, and she was able to sleep. She thanked Mickey and Ryan Krivosh for their efforts.

Mr. Stockman said not action needed to be taken by the Commission; it sounded the recommended actions to reduce the noise had been successful. A hearing for the renewal of the conditional use would be in April 2014. Mr. Stockman asked that the City continue to monitor for complaints and advise the Commission if there was a problem.

NEW BUSINESS

Docket 07-19-13

13368 Madison Avenue Brew 133 Shawn Botkins, applicant requests a Conditional Use permit for an outdoor dining facility pursuant to Section 1161.03(t) – Outdoor/Seasonal Dining Facility and Section 1173.02(b) – Conditional Use Permits. The property is located in a C3, Commercial and General Business district. (Page 7)

Tim Comerford and Shawn Botkins, owners and applicant were present to explain the request. They had purchased the property formerly known as Sullivan's. The existing patio was in the northwest corner. Speakers were already there; the new owners were retaining the sound system. They did not intend to increase the volume. Being sensitive to noise issues, they planned to introduce themselves to the neighbors and provide telephone numbers to call so as not involve the police. The Commission asked the City to be sure to advise the new owners of the codes and ordinances regarding hours of operation and allowable noise levels at a later date.

There were no comments or questions from the public. The Commission wanted to know more about the speakers. The outdated Jensen speakers faced toward the business and not the surrounding residences. Mr. Siley said the speakers had been grandfathered for the previous business; however, with the change of ownership, the retention or removal of the speakers was under the purview of the Commission. He suggested that the City could monitor for noise complaints and, if there was a problem, report to the Commission. Under the previous ownership, there had been no noise complaints as a result of music.

A motion was made by Mr. Gaydos, seconded by Ms. Karel, to GRANT the request as submitted. All of the members voting yea, the motion passed.

7. Docket 07-20-13 15527-133 15527-33 Madison Avenue Barrio Lakewood

Tom Leneghan, Tres Amigos LLC and applicant request a Conditional Use permit for an outdoor facility pursuant to Section 1129.13 – Supplemental regulations for Outdoor Seasonal Dining Facility, Section 1161.03(a) – Accessory Parking, and Section 1173.02 – Conditional Use Permits. The property is located in a C2, Commercial and Retail district. (Page 10)

Tom Leneghan, Tres Amigos LLC and applicant was present to explain the request. The Commission asked for a description of the proposal as there were no drawings with the submission. Mr. Leneghan said the footprint was similar to Angelo's Pizza; there would be dining on either side of the entrance door. Asked if the patio area needed to be fully fenced if food and liquor were served, Mr. Siley responded that the liquor control made the determination. The patio fence at Angelo's pizza was open and returned to the main entrance. The garage doors were not being heard at the current evening's meeting, the design had yet to receive approval from the Architectural Board of Review ("ABR"). If the design was modified, they would have to appear before the Planning Commission ("PC") again. After the applicant received approval from ABR, then the liquor control would issue its decree. The tables and chairs would be removed from the patios at the end of October. The Commission wanted to see specifics reflected on drawings and not to make a determination based on verbal statements. Mr. Siley said the applicant needed to be approved by ABR and had work remaining to do on the storefront; therefore, PC could either defer or grant conditionally.

There were no comments or questions from the public. The Commission said they wanted to see detailed plans prior to making a decision.

A motion was made by Ms. Karel, seconded by Mr. Gaydos, to **DEFER** the application to the meeting of August 1, 2013. All of the members voting yea, the motion passed.

5. Docket 07-18-13 13321 Madison Avenue Taco Tontos

John Crino, applicant requests a Conditional Use permit for an outdoor sidewalk dining facility pursuant to Section 1171.03 – Planning Commission and Section 1173.02 – Conditional Use Permits. The property is located in a C2, Commercial and Retail district. (Page 5)

Neither the applicant nor representative was present. Mr. Russell requested for the item to be deferred until the meeting of August 1, 2013.

A motion was made by Mr. Stockman, seconded by Ms. Karel, to DEFER the application until the meeting of August 1, 2013. All of the members voting yea, the motion passed.

OLD BUSINESS

8. DOCKET 06-17-13 Referral from City Council to the Planning Commission

The Department of Planning and Development is a proposing to make modifications to the Chapter 1135 (Mixed Use Overlay) of the Zoning Code.

The purpose of the existing Mixed Use Overlay District is to provide a mechanism to accommodate reuse and redevelopment in specified locations that may not otherwise be permitted under the code. This overlay district also clearly asserts that the foremost consideration in these situations is protecting the public interest. Currently, a Mixed Use Overlay District may overlay several base districts but does not include residential zone districts. The attached draft proposes to include residential zone districts in the MUO and provided additional criteria and controls for reuse and redevelopment of those properties. This item was DEFERRED from the June 6, 2013 meeting. (Page 16)

The Commission had reviewed the proposal in depth and felt it was thoughtful, concise, and found no unintended consequences. It appealed to the enhancement and flavor of neighborhoods. Actually, it corrected the previous decisions and would allow for those instances that warranted the use.

There were no comments or questions from the public.

A motion was made by Mr. Stockman, seconded by Mr. Gaydos, to RECOMMEND the modifications to Council. All of the members voting yea, the motion passed.

ADD-ON COMMUNICATION

DOCKET 07-21-13 Kauffman Park Vision Plan – Presentation to Director Siley,

Planning & Development and Lakewood Planning Commission

The City's Park System Master Plan outlined principles to prioritize improvements to all of Lakewood's parks. The plan envisioned that master plans for individual would be developed that identified specific improvements based on specific needs, size and location of a park. The Friends of Kauffman Park in partnership with Lakewood Alive facilitated a public input process to develop a draft vision for future improvements to Kauffman Park. Bryan Evans of J Creative donated design services and produced the document, and this team will present the draft for discussion with the Planning Commission. (Page 17)

Mr. Siley gave an introduction to the plan. All of the parks in Lakewood were part of a plan to make them the best they could be. Individual master plans for each park were to be developed. Bryan Evans was the lead professional of the design.

Sean McDermott, LakewoodAlive Board President said they worked on the design for 18 months and were grateful to have the input of motivated people.

Bryan Evans gave an overview of the plan. Kauffman Park was a strategically located gathering place for sports, entertainment, and families. A result of meetings and workshops was the development into Lakewood's Downtown Destination for Education, Exploration and Entertainment. Utilizing the document affixed to the agenda, he went into more detail about the proposal. The next steps would be to prioritize the individual projects within the plan and get cost estimates. The Commission expressed concern about potential vandalism and wondered if any security measures were to be taken. Mr. Evans said they were relying on the citizens for self-policing; they would use finishing materials on the signs and other structures that were easily cleaned. Mr. Siley said cameras had been recently added to Kauffman Park and agreed with Mr. Evans about the idea of self-policing. The incidents of graffiti and loitering had decreased already. The Commission liked the idea of many features pulling double duty; such as a hill being both a viewing area for the baseball field and splashpad and then being used as a sledding hill. Overall, the Commission was impressed with the plan.

Mr. Siley said the next step was for the Commission to receive and file the communication so it could be developed into a master plan. After that, it would return to the PC for its adoption.

Dan Alaimi, 1264 French Avenue was a frequent user of Kauffman Park was in favor of the plan.

Greg Wereb, 1286 French Avenue echoed the comments of Mr. Alaimi. He was in favor of the plan.

Missy Toms, Lakeland Avenue lived immediately adjacent to the park. She was in favor of the plan.

lan Andrews, Executive Director for LakewoodAlive thanked all of those who worked on the development of the plan. He was excited for the future of Kauffman Park.

A motion was made by Ms. Karel, seconded by Ms. Cierebiej, to RECEIVE and FILE the communication. All of the members voting yea, the motion passed.

Mr. Russell said that the applicant for Taco Tontos had arrived. The Commission recalled Docket 07-18-13.

NEW BUSINESS

Docket 07-18-13

13321 Madison Avenue Taco Tontos

John Crino, applicant requests a Conditional Use permit for an outdoor sidewalk dining facility pursuant to Section 1171.03 – Planning Commission and Section 1173.02 – Conditional Use Permits. The property is located in a C2, Commercial and Retail district. (Page 5)

John Crino, applicant was present to explain the request. The plan was to create a 70 to 80 square foot outdoor dining area with four (4) seats and eight (8) chairs. Indoor capacity was 42 patrons. Pedestrian clearance was within the requirements.

The City had no objections to the proposal; it was much the same as the patio at El Tango Taqueria and would be a nice enhancement.

There was no public comment.

A motion was made by Mr. Gaydos, seconded by Ms. Cierebiej, to GRANT the request. All of the members voting yea, the motion passed

ADJOURN

A motion was made by Ms. Cierebiej, seconded by Ms. Karel, to ADJOURN the meeting at 8:15 p.m. All of the members voting yea, the motion passed.

Signature

Date

-1-2013





<u>Oath</u>

I, the undersigned, hereby agree that the testimony I give at this proceeding will be the truth, the whole truth and nothing but the truth:

PRINT NAME:	SIGN NAME:
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2 Micky Krival	BALL
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s Johanna Schwarz	
· Shawn Botkins	Serse
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· JOM LENEOHAN	
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10. Greg Wered	
11. Missy Toms	CALL.
Prepared by: The City of Lakewood Law Departm	nent, 12650 Detroit Ave., Lakewood, Ohio 44107
FOR CITY US	
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Date of Proceeding: Wednesday	July 10, 2013

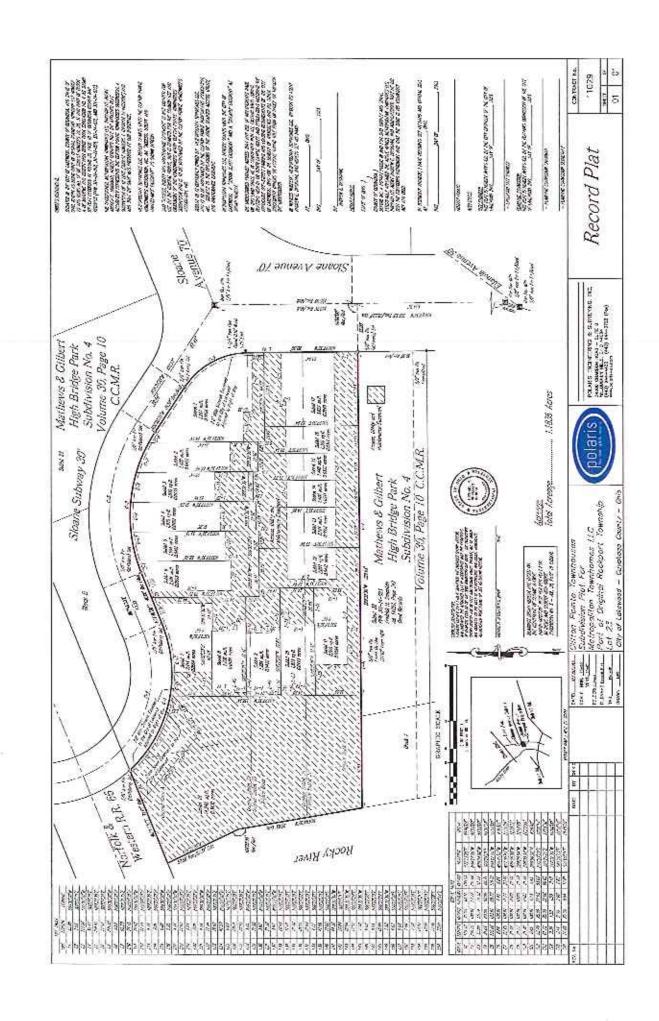




Oath.

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Lakewood Administrative Procedure: ABR/BBS/Sign C Income Tax Appeals Loan Approval Nuisance Abates	Citizens Advisory Ll Civil Service D Dangerous Dog ment Appeals Planning D Zoning Appeals Ll Other:
Date of Proceeding: Wednesday,	July 10, 70/3



Schwarz, Johanna

From:

Sharon McIlwee < lizaann1967@yahoo.com>

Sent:

Tuesday, July 09, 2013 10:30 PM

To:

Planning Dept

Subject:

Taco Tonto outdoor dining - meeting of July 10, 2013

I would like to express my concerns. For the most part, this has been a good neighbor. My concerns are through no fault directly of the restaurant. But I am concerned with three issues as a connected tenant in the next property noise, smoke and traffic: the possible noise level, from patrons, loiterers and music. When Beladubby was here the music was very loud, playing to the outside patrons who were smoking, playing way past 11:00 practically every night of the week. Also the patrons were very loud, and they would stay long after the place was closed. The secondhand smoke is also a concern of mine: I can smell it at times when people are smoking in front of the building, and especially if there is a nonsmoking patio, they make come closer to my building. Sometimes the smoke makes me feel like my throat is burning, to be fair not a lot, but if people do smoke on that patio (which they will inevitably) or near it it will be worse. The third issue is how much of the sidewalk do they intend on taking up? I go to the laundromat down the street, going past a patio might get awkward. These may sound petty, but when you live around a place where people come to play into the hours of the night, like Mahalls and how Beladubby was it is very trying and not so much fun for the tenant who deals with it until the patrons are good and ready to go home and sometimes that is way past closing time. So if Taco Tonto can figure a way to make this work and be a good neighbor, more power to them. I just hope if this happens we are not stuck with a bunch of loud people who been drinking and smoking and just leave whenever. Please understand, this is not only a weekend thing, this would be practically every night. Just try living around it and getting up to work seven days a week ten hours a day sometimes. Thank you for your time and attention to these concerns, sincerely, Sharon McIlwee, 13315 Madison Avc., #1

Outdoor Dining Area for Taco Tontos at 13321 Madison Ave.

Specifications:

- -Total outdoor dining area: approx. 80 sq. ft.
- -36" tall AL railing
- -Single entrance is 3'8" wide
- -2 ½" square posts at least every 6 feet, secured to sidewalk with removable concrete anchors
- -Maximum of 4 tables (8 seats) with at least 36" walkway.

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"Cost every " Posting

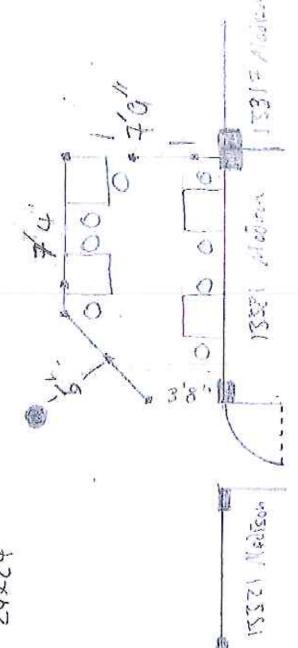
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Flora Stacking Side Chair, Slat Seat & Back, Aluminum Frame EmuAmericas 1000 Outdoor Chairs

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EmuAmericas 1000 Description

Need a stylish, modern, affordable piece of furniture to add to your business or office. Then Emu Americas presents you with this Flora stacking side chair. Perfect for weddings, coloring events, parties, restaurants, this chair's simpliable beauty and contemporary design make it an excollent addition to business. The seat and back are both wide statted for a comfortable sit and easy to clean and mainfain design. The eleminan constructed frome enhances the functionality of this choir by making it easy to clean and add to existing Linu Americas. furniture schemes. This Flora stacking side chair can be used indoors, for restaurant seating, unique office and waiting room seating, or evan as a decorative item. Use this Flore stacking side chair outdoors for it's practicality, varsatility, and lightweight mobility.

Make this Flore steeking side chair your own design with custom custioning or covers, or contact customer service for custion options.

Flora Stacking Sido Chair, autdoor/indoor, stat seat & back, aluminum. Contact customer service for cushion options.

EmuAmericas 1000 Specifications

- Manufacturer: EmuAmerica
- Catagory: Outdoor Furniture
- Type Chall
- Style: Side
- Weight, 6lbs.

EmuAmericas 1000 Reviews

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Comparable Products



EmisAmencas 116 ALU Ronda Stacking Armchair, Mesh Seat & Back,

EmuAmericas (116 ALU) SKU: 185 118ALU

\$373,56



EmstAmericas 1001 Karon Stacking Side Chair, Tesk Slat Seat & Back,

EmuAmericas (1001) SKU. 185-1001

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EmuAmericas 1000 Comparable Products



EmuAmericas 1004 Anna Side Chair Stat Back Saddle Seut

EmuAmericas SKU: 185-1004 \$260.36



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EmuAmericas 800 ALU Description

Cambi Table, 24" square, ouldcorfindoor, tribular sleet logs; mesh top, e coated steal, powder coated, PVC feet caps (one adjustable)

EmuAmericas 800 ALU Specifications

- Manufacher EmuAmericus
- Type: Tables
- Style: Outdoor
- Category: Tables & Basos
- material: Metal
- Size: 24 x 24 In
- Weight 25ths.

EmuAmericas 800 ALU Reviews

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EmuAnioricas (100 ALU) SKU: 185-160ALU

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EmsAmericas 602 ALU Cemb) Teble, 36 in Square, Umbrefa

EmuAmericas SKU: 185-802ALU \$285.83

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Europericas 803 ALU Gambi Table, 32 in Clameter,

EmuAmericas SKU, 185-803ALU \$240.55

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EmuAmencas 604 ALU Cambi Table, 42 in Diameter,

EmuAmoricas SKU: 185 804ALU \$308.47

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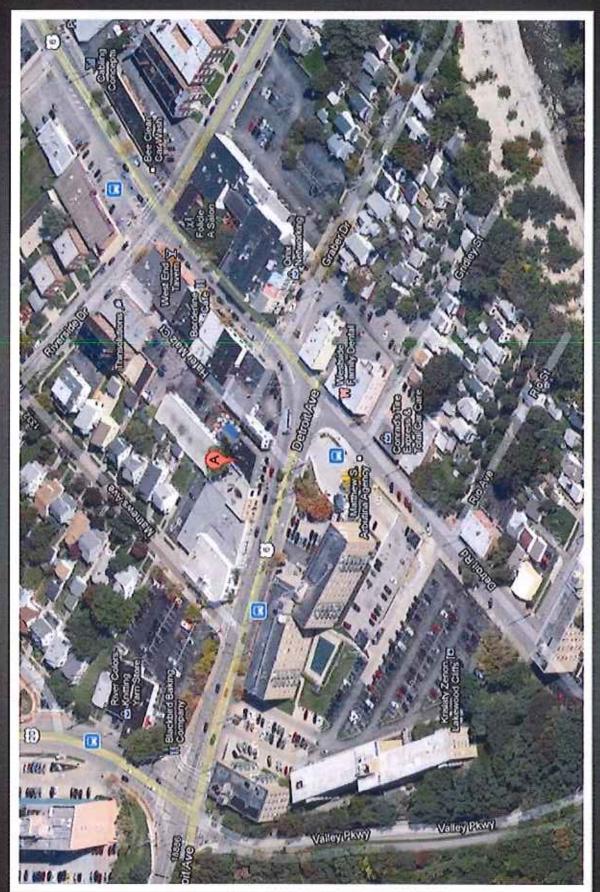


Planning Commission

July 2013

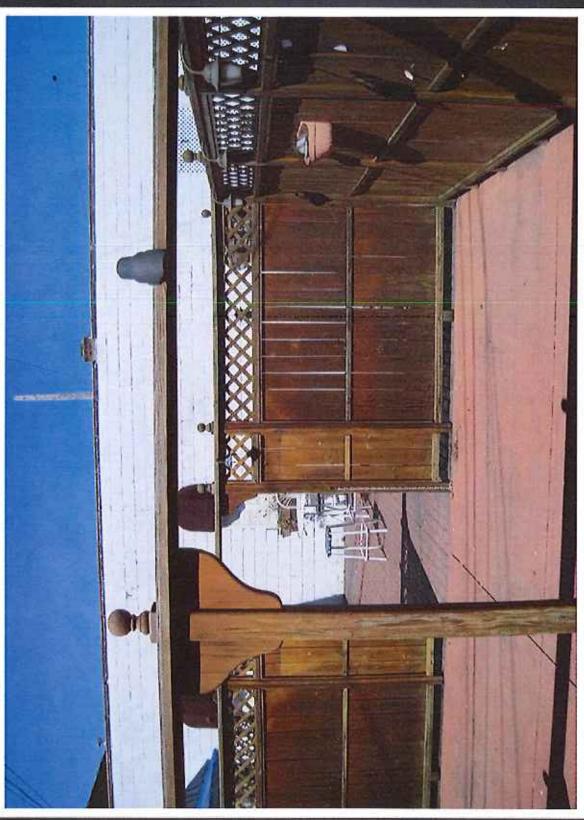


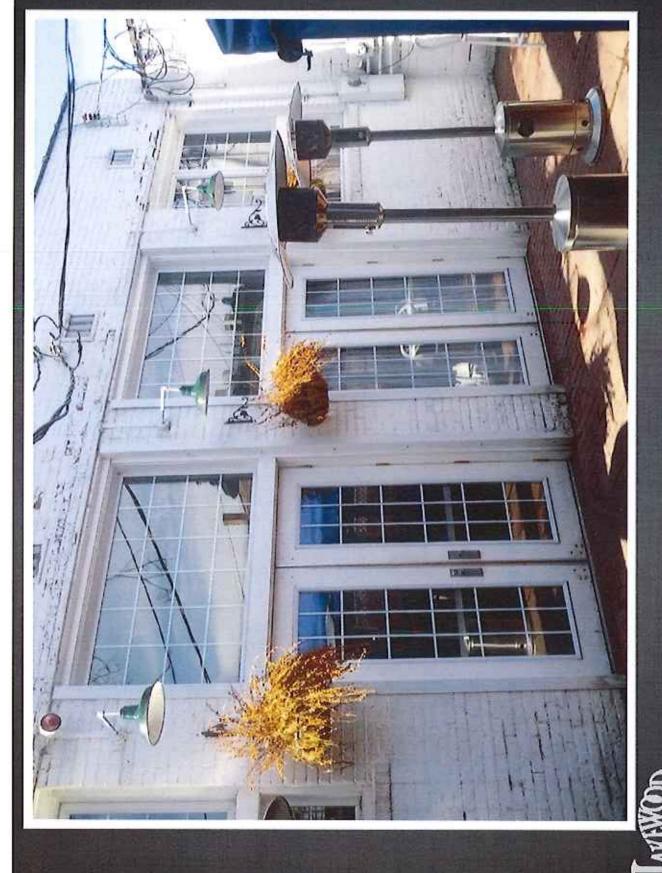




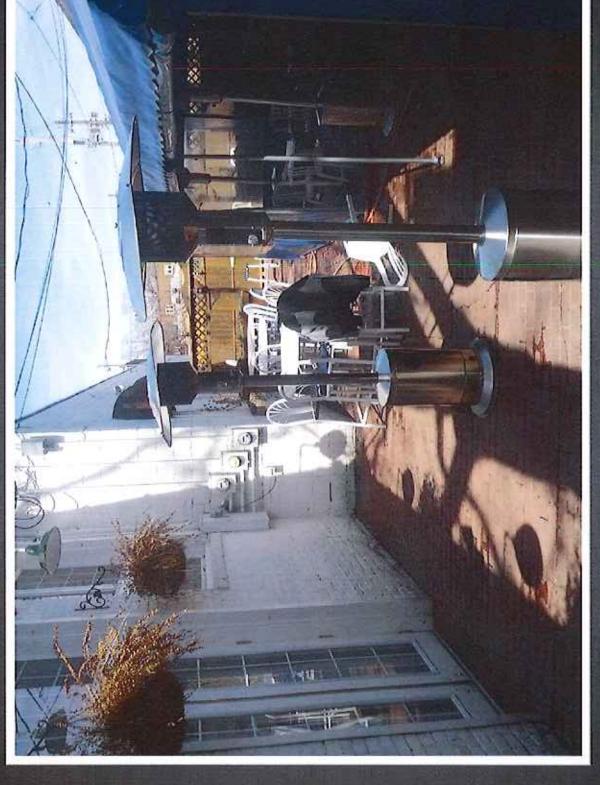


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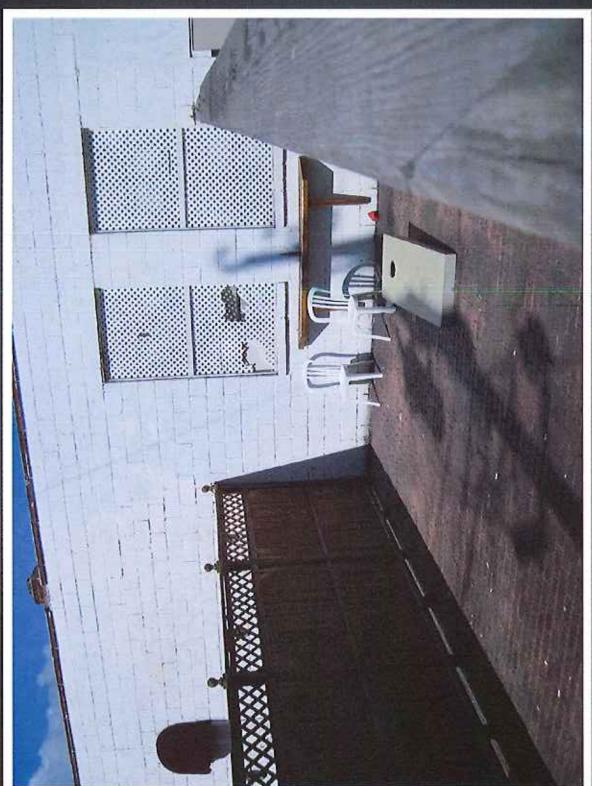




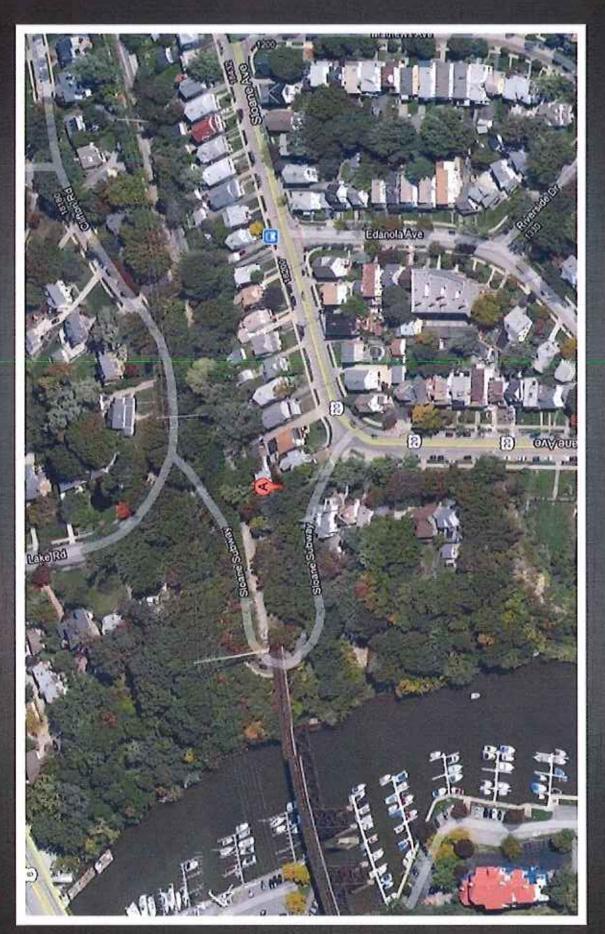


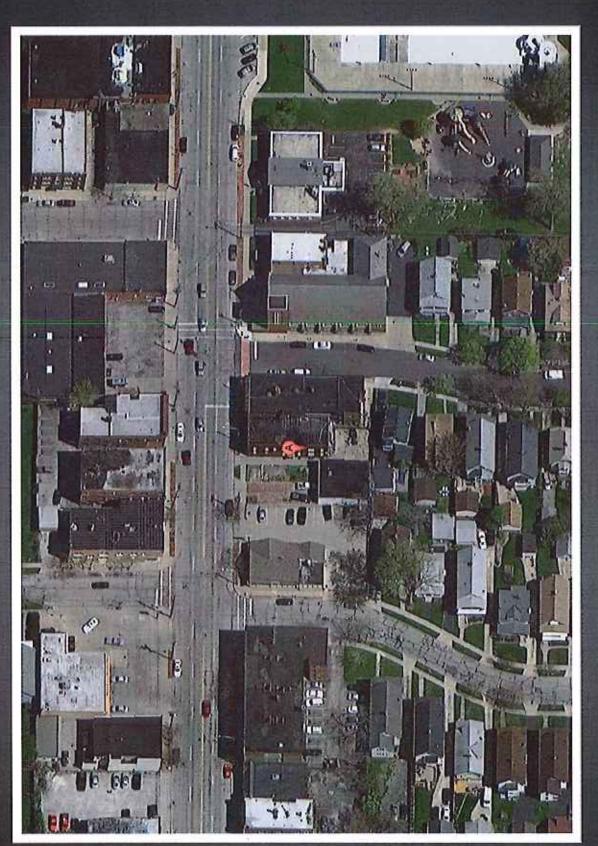
Planning Commission July 2013

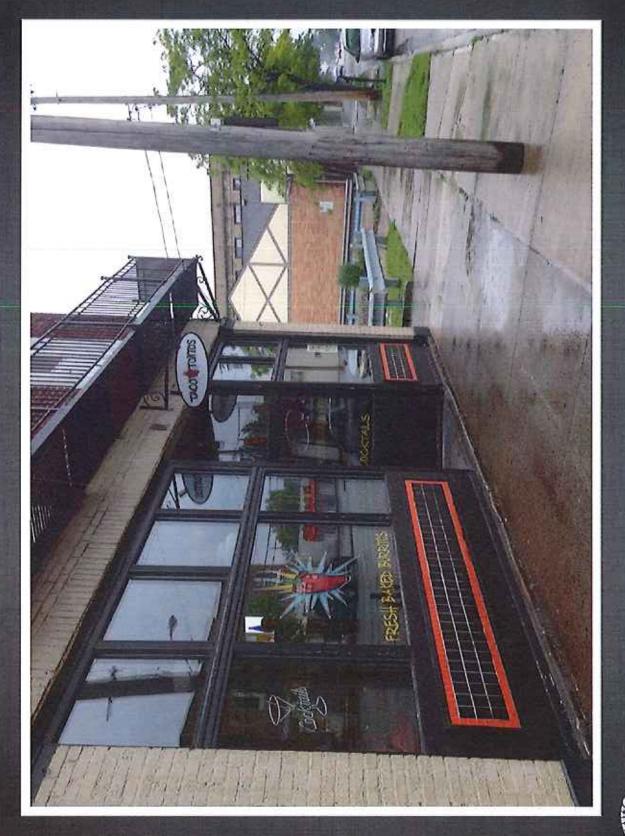




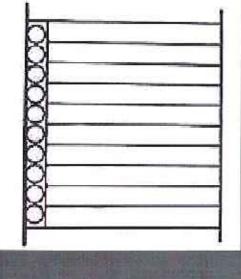


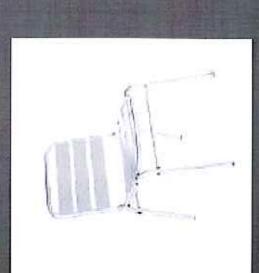


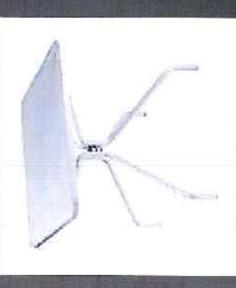




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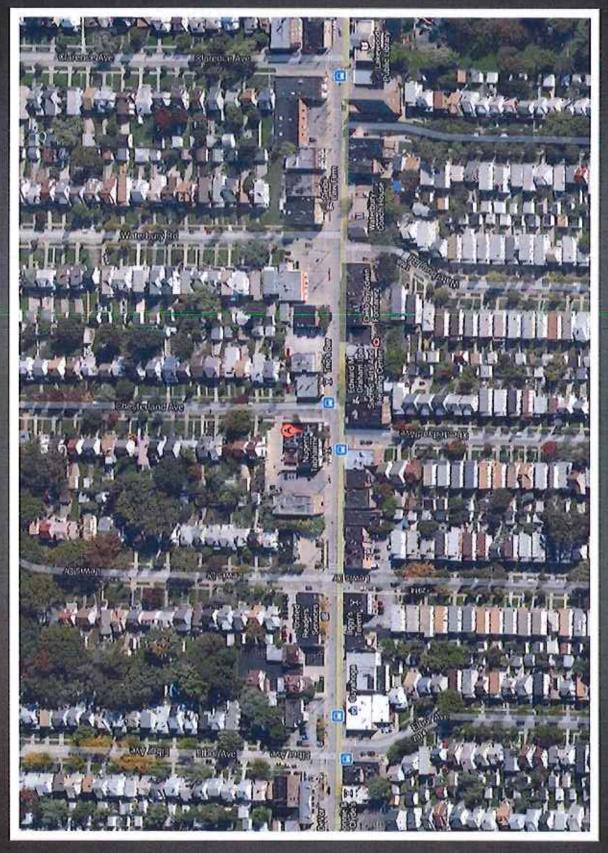








13321 Madison Avenue

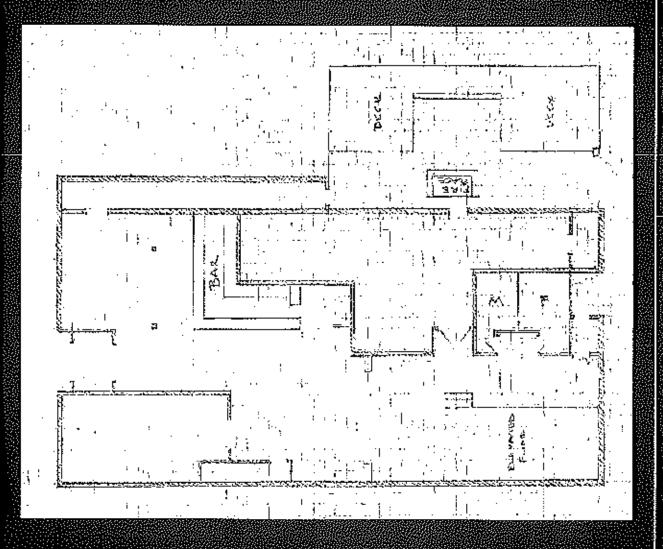






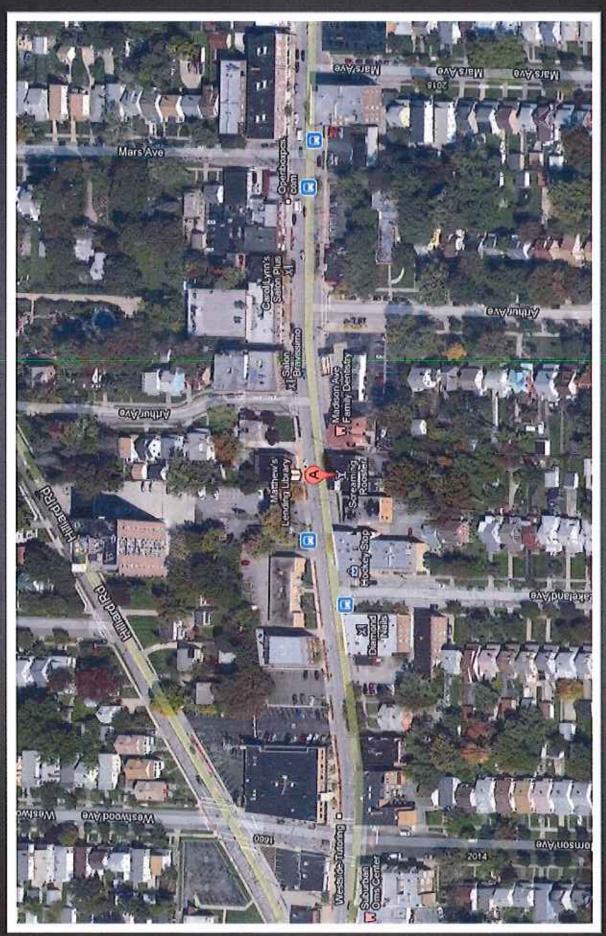


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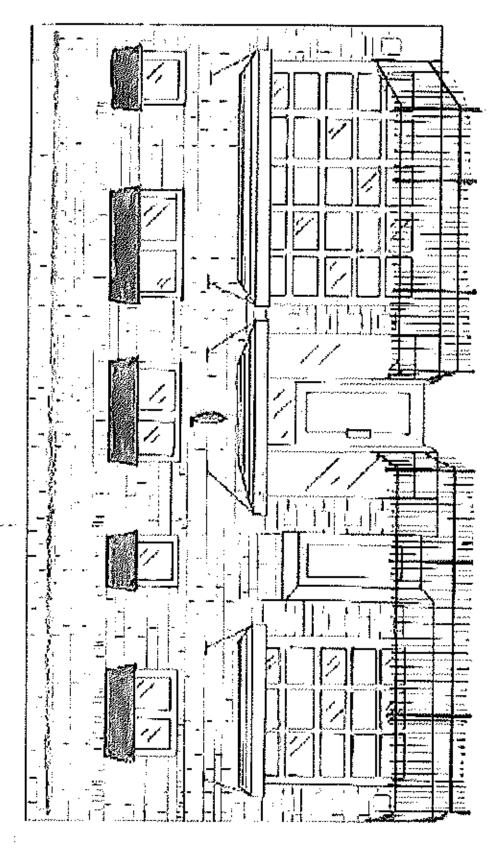




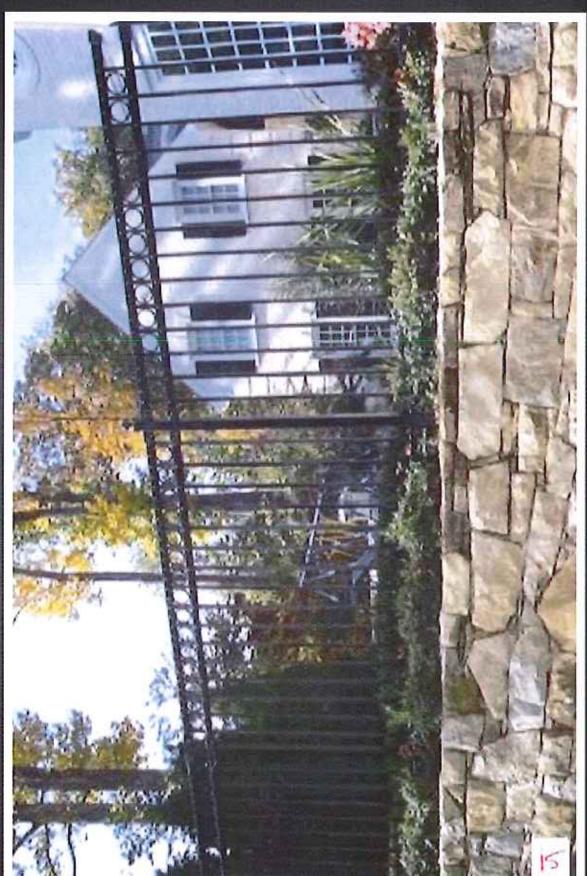








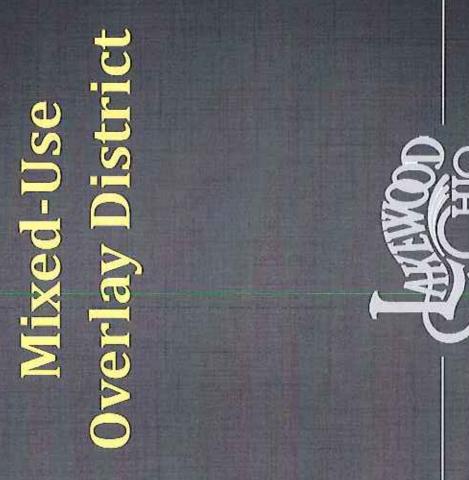








Planning Commission July 2013





Kauffman Park Vision Plan





Planning Commission

July 2013



